1.IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.11.2006

CORM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
and
THE HON'BLE MR. JUSTICE S. TAMILVANAN

Writ Petition No.42937 of 2006
and MP.No.1 of 2006

S. Venkatramanan .. Petitioner

Vs.

1. The District Collector
   Kancheepuram.

2. The Executive Officer
   Injambakkam Panchayat Board
   Chennai.

3. R. Ravishankar
   Director
   Aqua Springs Pvt. Ltd.,
   Injambakkam, Chennai 41.

4. The Member Secretary
   Chennai Metropolitan Development
   Authority, Thalamuthu Natarajan
   Maligai, Dr. Irewin Salai
   Egmore, Chennai 8. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus as stated therein.

For petitioner : Mr. R. Balaji

..

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ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

The petitioner has filed this writ petition seeking to issue a writ of mandamus directing the fourth respondent to demolish the unauthorised and illegal construction on the property being vacant land with well comprised in Survey No.165/20B2C and 165/21B1A2, measuring about 2633 sq.ft. in

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Injambakkam Village under the Tamil Nadu Panchayats Building Rules, 1997.

2. Even according to the petitioner, the authority competent to take action or consider his grievance is fourth respondent. Admittedly, before filing of this writ petition, the petitioner has not made any compliant to the said authority. Though representations have been sent to respondents 1 and 2, in view of the admitted factual position no direction as claimed be issued in this writ petition; the same is dismissed. No costs. However, the petitioner is at liberty to make proper representation to the appropriate authority, viz., 4th respondent. If any such representation is made, it is but proper on the part of the fourth respondent to consider and take appropriate action in accordance with law, after affording opportunity to all the parties concerned.

In view of dismissal of the writ petition, connected MP., is also dismissed.

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The District Collector
   Kancheepuram.

2. The Executive Officer
   Injambakkam Panchayat Board
   Chennai.

3. The Member Secretary
   Chennai Metropolitan Development
   Authority, Thalamuthu Natarajan
   Maligai, Dr. Irewin Salai
   Egmore, Chennai 8.

+ one cc to Mr. J. Ravindran, Advocate sr no. 53361
+ 2cc to Mr. R. Balaji, Advocate sr no. 53172
+ one cc to the Government Pleader sr no. 53230

LA(cO)
NM(24.11.2006)

Order in
WP.No.42937 of 2006

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